

VZCZCXRO4528
PP RUEHCHI RUEHDT RUEHHH
DE RUEHHM #0750/01 2330834
ZNR UUUUU ZZH
P 200834Z AUG 08
FM AMCONSUL HO CHI MINH CITY
TO RUEHC/SECSTATE WASHDC PRIORITY 4798
INFO RUEHHI/AMEMBASSY HANOI PRIORITY 3226
RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHHM/AMCONSUL HO CHI MINH CITY 5026

UNCLAS SECTION 01 OF 02 HO CHI MINH CITY 000750

SENSITIVE
SIPDIS

STATE FOR EAP/MLS, DRL/AWH AND DRL/IRF

E.O. 12958: N/A
TAGS: [PHUM KIRF](#) [PGOV](#) [PREL](#) [CASC](#) [VM](#)
SUBJECT: CATHOLIC HIV/AIDS CENTERS STUCK IN LEGAL LIMBO

REF: A) HCMC 503 REF B) 07 HCMC 1222 REF C) 07 HCMC 665 AND PREVIOUS REF D)
HANOI 862 REF E)2007 HANOI 2118

HO CHI MIN 00000750 001.2 OF 002

¶1. (SBU) Summary: On August 4, Father Toai of Mai Tam AIDS Orphanage and Drop-in Center discussed with ConOffs the tenuous position of Catholic charities providing care to people living with HIV/AIDS (PLWHA). While the HCMC Archdiocese's Pastoral Care Committee for PLWHA has been able to extend its coverage significantly, many of its operations are hindered because they lack legal status as non-governmental entities, leaving them vulnerable to interference from local authorities and limiting their clients access to Vietnam's government-supported social services network. While Father Toai believes that USG endorsement through President's Emergency Plan for AIDS Relief (PEPFAR) support has allowed for some progress, the Catholic Church's legal limbo limits their ability to expand assistance to people living with HIV/AIDS further (ref A). End Summary.

PERMIT PROBLEMS FOR PASTORAL CARE

¶2. (SBU) Father Toai established Mai Tam Drop-In Center in 2004 as part of the Ho Chi Minh City Archdiocese's Pastoral Care Committee for People Living with HIV/AIDS (PLWHA), a Catholic-run initiative that provides medical care and counseling, improves PLWHA quality of life, raises HIV/AIDS awareness, and combats societal discrimination for some of the most marginalized members of Vietnamese society. Mai Tam Drop-In Center assists HIV positive women and children with food, shelter, and medical care, as well as vocational training for mothers to resume an independent working life.

¶3. (SBU) Since he first applied for a license in September 2005, Father Toai has consistently encountered difficulties from various GVN agencies during the permit approval process for Mai Tam (ref C). Though HCMC leaders at the highest levels have expressed support for the Church's HIV/AIDS work, authorities have yet to grant the permits to allow Father Toai to operate Mai Tam as a legal charity. Father Toai believes the main reason authorities are baulking is because of the Center's religious affiliations, as there are a large number of non-faith-based charities providing assistance to PLWHA already. In contrast, Catholic-run health clinics in Vietnam are licensed as private clinics, and these clinics are taxed even though they provide free services. Mai Tam recently relocated to a second facility, and Father Toai decided to go ahead and to register again as a private clinic rather than wait for his bid for legal charity status to come through.

¶4. (SBU) Father Toai also reported little progress in the two and a half year process of acquiring permits to establish an expanded center in HCMC's Can Gio District. Last December, Cardinal Man told the Ambassador the Church had to re-apply for land permits after the Can Gio authorities who signed off on the

site were sacked for corrupt land dealings (ref B). Father Toai has now received the new land permits, and must file additional paperwork to obtain zoning permits from district authorities. Father Toai did express his appreciation for PEPFAR support, noting that the endorsement from the USG has helped move the approval process for Can Gio forward, but lamented over the limits placed on his work due to the legal limbo Catholic charities currently face.

LOCAL-LEVEL HARASSMENT

15. (SBU) Due to their lack of legal status, Father Toai said, he cannot obtain birth records for the Center's children, limiting their access to public services like education and health care. Father Toai reported that local authorities also routinely harass staff and residents at Mai Tam Center, which he believes stems from the authorities' fear of "the political influence of religious organizations." Father Toai said police have threatened to close the center on numerous occasions, citing a lack of adequate space/facilities, certified staff, and fire safety concerns -- claims that Father Toai says are unfounded because he keeps the center scrupulously up to code.

ADOPTIONS FRAUGHT WITH PROBLEMS

16. (SBU) Father Toai said he has received inquiries from families willing to adopt some of the non-HIV orphans at the Center, but because the children are not in a state-run orphanage, they are not officially eligible for adoption. Father Toai said that he was told to "abandon the babies in front of a GVN-run orphanage" if he wanted Mai Tam's orphans to be eligible for adoption. Father Toai's comments echo what we have heard from others in the Church and in the community about the unregulated nature of the adoption system in Vietnam (ref D).

COMMENT

17. (SBU) Though HCMC leaders, including a Vice-Chairman of the

HO CHI MIN 00000750 002.2 OF 002

People's Committee, have told us they support the Church's efforts to assist people living with HIV/AIDS, this has yet to be translated into action in terms of granting full legal status for Catholic-run charitable organizations. While the Church continues to make informal inroads into charitable/social work, reams of red tape and local-level harassment plague their efforts. Despite these concerns, the Church continues to press forward and remains optimistic about expanding its pastoral care program for people living with HIV/AIDS and other social work initiatives. End comment.

18. (U) This cable was coordinated with Embassy Hanoi.
FAIRFAX